

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE: INSULIN PRICING
LITIGATION**

**Case No. 2:23-md-3080 (BRM)(RLS)
MDL No. 3080**

**JUDGE BRIAN R. MARTINOTTI
JUDGE RUKHSANAH L. SINGH**

THIS DOCUMENT RELATES TO ALL CASES

**DECLARATION OF KELLEY BARNABY IN SUPPORT OF PBM
DEFENDANTS' OPPOSITION TO MOTION TO COMPEL**

I, Kelley Barnaby, hereby declare as follows:

1. I am over 21 years old, of sound mind, and under no legal disability. I have personal knowledge of the facts set forth in this Declaration and if called to testify in person about those facts, could and would do so competently under oath.
2. I am a member of the bars of the District of Columbia and Georgia and am admitted *pro hac vice* to practice in this matter before this Court. I am a partner at the law firm Alston & Bird LLP and represent Defendants UnitedHealth Group Incorporated; OptumRx, Inc.; Optum, Inc.; OptumInsight, Inc.; and Emisar Pharma Services LLC in this action. As such, I am familiar with the facts and circumstances in this matter.

3. Attached hereto as Exhibit 1 is a true and correct copy of the Statement of Commissioner Rebecca Kelly Slaughter Regarding the Use of Compulsory Process and Issuance of 6(b) Orders to Study Contracting Practices of Pharmacy Benefit Managers, dated June 7, 2022.

4. Attached hereto as Exhibit 2, is a true and correct copy of the Engagement Letter between Compass Lexon and Garza Howley LLP, Gibson, Dunn & Crutcher, LLP, and Dechert LLP dictating the terms and scope of Compass Lexecon's engagement.

5. Exhibit 2 has been redacted to remove portions which contain confidential information. These redactions were made solely to protect confidential portions of the Letter that are not otherwise relevant to the instant dispute.

6. Attached hereto as Exhibit 3 is a true and correct copy of the Declaration of Rani Habash in Support of PBM Defendants' Opposition to Plaintiffs' Motion to Compel.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge.

Dated this 30th day of May, 2025, in Washington, DC.



Kelley Barnaby